

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

JOHN BYRNE, Individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WESTPAC BANKING CORPORATION,
BRIAN CHARLES HARTZER, and PETER
FRANCIS KING,

Defendants.

Case No: 3:20-cv-00171-AC

ORDER AWARDING ATTORNEY FEES,
REMIBURSEMENT OF EXPENSES,
AND AWARD TO LEAD PLAINTIFF

WHEREAS, the Court has granted final approval of the Settlement of the above-referenced class action;

WHEREAS, The Rosen Law Firm, P.A., appointed by the Court as Lead Counsel (“Lead Counsel”) for purposes of the Settlement, have petitioned the Court for an award of attorneys’ fees in compensation for services provided to Lead Plaintiff Edward and Named Plaintiff John Byrne (“Plaintiffs”), and the Settlement Class along with reimbursement of expenses incurred in

connection with prosecuting this action, and award to Lead Plaintiff, to be paid out of the Settlement Fund established pursuant to the Settlement;

WHEREAS, capitalized terms used herein have the meanings defined in the Stipulation and Agreement of Settlement filed on October 12, 2020 (the “Stipulation”) (Dkt. No. 29-4) and this Court’s November 5, 2020 Amended Order Preliminarily Approving Class Action Settlement (“Preliminary Approval Order”) (Dkt. No. 31); and

WHEREAS, the Court has reviewed the fee application and the supporting materials filed therewith and has heard the presentation made by Lead Counsel during the final approval hearing on April 20, 2021, and due consideration having been had thereon.

NOW, THEREFORE, it is hereby ordered:

1. Lead Counsel are awarded one-third of the Settlement Fund or \$1,033,333.33 as attorneys’ fees in this action, together with a proportionate share of the interest earned on the fund, at the same rate as earned by the balance of the fund, from the date of the establishment of the fund to the date of payment. Lead Counsel shall have the ability to allocate the attorneys’ fees to other counsel based on their contribution to the case.

2. Lead Counsel are awarded unreimbursed expenses in the amount of \$24,776.41 with interest, as described above.

3. Lead Plaintiff Edward Davies is awarded \$1,500, as reimbursement for his lost time and for his efforts in connection with his prosecution of this Action.

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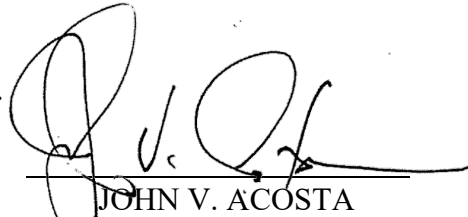
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4. Except as otherwise provided herein, the attorneys' fees, reimbursement of expenses, and award to Lead Plaintiff shall be paid in the manner and procedure provided for in the Stipulation.

SO ORDERED this 12th day of May, 2021.



JOHN V. ACOSTA
United States Magistrate Judge